

#16/Response
T. McBeth-brown
11/17/00 2157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

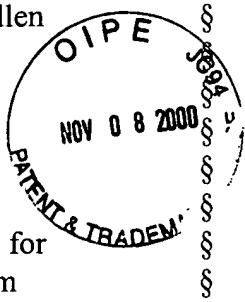
In re Applicant: Duane Le Allen

Serial No.: 08/925,703

Filed: September 9, 1997

Title: Method and Apparatus for
Installing an Operating System

Commissioner for Patents
Washington, DC 20231



Group Art No.: 2755

Examiner: George Opie

Docket No: MICE-0083-US
(97.01389.00)

NOV 15 2000
TC 2700 MAIL ROOM
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REPLY TO OFFICE ACTION DATED SEPTEMBER 5, 2000

Dear Sir:

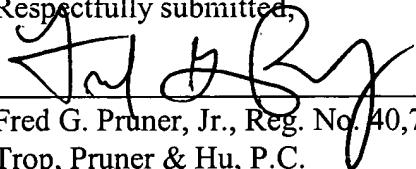
In an Office Action mailed on September 5, 2000, claims 34-36, 39-42, 44, 47-49 and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged admitted prior art in view of Leyda; and claims 37,38, 43, 45-46 and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged admitted prior art in view of Leyda and in further view of Harding.

Leyda and the present application (recorded at Reel/Frame number 9080/0067) are both owned by the same Assignee, Micron Electronics, Inc. Because a continuing prosecution application was filed on December 20, 1999 (after November 29, 1999), 35 U.S.C. § 103(c) specifically excludes Leyda as prior art. See M.P.E.P. § 706.02(l)(1). Therefore, the Assignee requests withdrawal of the § 103 rejections and a favorable action in the form a Notice of Allowance. Please credit any overpayments and charge any additional fees to Deposit Account No. 20-1504 (MICE-0083-US).

11/06/2000

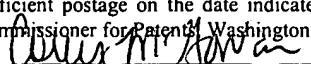
Date

Respectfully submitted,


Fred G. Pruner, Jr., Reg. No. 40,779
Trop, Pruner & Hu, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 713/468-8883 [fax]

Date of Deposit: 11/06/00

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.


Corey McGowan